



Southeast Fishery Bulletin

National Marine Fisheries Service, Southeast Regional Office, 263 13th Avenue South, St. Petersburg, Florida 33701

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FOR IMMEDIATE RELEASE:

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Proposed Rule for Generic Amendment 3 Available for Public Review and Comments

NOAA's National Marine Fisheries Service (NMFS) has published a proposed rule in the *Federal Register* (70 FR 56157, September 26, 2005) that, if approved, would implement the regulatory actions proposed in Generic Amendment 3 for Addressing Essential Fish Habitat (EFH) Requirements, Habitat Areas of Particular Concern (HAPCs), and Adverse Effects of Fishing in the Following Fishery Management Plans (FMPs): Shrimp, Red Drum, Reef Fish, Stone Crab, Coral and Coral Reefs of the Gulf of Mexico and Spiny Lobster and the Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic (Generic Amendment 3). The Gulf of Mexico Fishery Management Council has submitted Generic Amendment 3 for review by NMFS. NMFS announced the availability of Generic Amendment 3 for public comment on September 15, 2005 (70 FR 54518).

NMFS is now requesting comments from the public regarding the proposed rule. The proposed rule would provide the regulatory authority to implement measures to minimize to the extent practicable any adverse effects of fishing on EFH. Additionally, Generic Amendment 3 would describe and identify EFH and HAPCs for each fishery in the Gulf of Mexico. Written comments on the proposed rule must be received on or before November 10, 2005. See the **Addresses** section at the end of this bulletin for information on where and how to submit comments.

Summary of Proposed Rule

Generic Amendment 3 proposes gear restrictions to minimize to the extent practicable any adverse

effects of fishing on EFH. Measures to accomplish this reduction are:

- (1) Prohibit bottom anchoring to protect coral reefs in the following HAPCs: East and West Flower Garden Banks, McGrail Bank, Pulley Ridge, and North and South Tortugas Ecological Reserves, as well as Stetson Bank;
- (2) prohibit the use of trawling gear, bottom longlines, buoy gear, and all traps/pots to protect coral reefs in the following HAPCs: East and West Flower Garden Banks, McGrail Bank, Pulley Ridge, and North and South Tortugas Ecological Reserves, as well as Stetson Bank; and
- (3) require a weak link in the tickler chain of bottom trawls on all habitats throughout the Gulf of Mexico exclusive economic zone. A weak link is defined as a length or section of the tickler chain that has a breaking strength less than the chain itself and is easily seen as such when visually inspected.

Addresses

The FMP, which includes a Regulatory Impact Review, Initial Regulatory Flexibility Analysis, Social Impact Assessment, and a Fishery Impact Statement, is available from:

Gulf of Mexico Fishery Management Council
2203 N. Lois Avenue
Suite 1100
Tampa, Florida 33607
Phone: 813-348-1630; fax: 813-348-1711
e-mail: gulfcouncil@gulfcouncil.org

Written copies of the proposed rule may be obtained from the NMFS Southeast Regional Office, 263 13th Avenue South, St. Petersburg, Florida 33701.

Electronic copies of the proposed rule may be obtained from the Federal Register website at <http://www.gpoaccess.gov/fr/index.html>.

Comments regarding the proposed rule should be sent to Mr. Peter Hood at NMFS Southeast Regional Office at the address provided above. Comments may be submitted via fax to 727-824-5308 or by e-mail to 0648-AS66.Proposed@noaa.gov. For e-mail comments, include in the subject line the following identifier: 0648-AS66.

All comments on the proposed rule must be received before 5:00 p.m., eastern time, on November 10, 2005. All comments received by NMFS on the FMP or the proposed rule will be addressed in any final rule that is published to implement the actions proposed in the FMP.

NMFS is dedicated to protecting and preserving the nation's living marine resources and their habitats through scientific research, management, and enforcement. NMFS provides effective stewardship of these resources for the benefit of the nation, supporting coastal communities that depend upon them, and helping to provide safe and healthy seafood to consumers and recreational opportunities for the American public.

NOAA is dedicated to enhancing economic security and national safety through the prediction and research of weather and climate-related events and providing environmental stewardship of our nation's coastal and marine resources.

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